FILED

08 JUN 11 PM 3:47

BY: [signature] DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

January 2007 Grand Jury

UNITED STATES OF AMERICA, Plaintiff,

v.

JOSE LUIS FRANCESCHY-ROBLES, Defendant.

Criminal Case No. '08 CR 1903 BEN

I N D I C T M E N T

Title 8, U.S.C., Secs. 1326(a) and (b) - Deported Alien Found in the United States

The grand jury charges:

On or about March 26, 2008, within the Southern District of California, defendant JOSE LUIS FRANCESCHY-ROBLES, an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Sections 1326(a) and (b).

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CEM:fer:San Diego
6/9/08

It is further alleged that defendant JOSE LUIS FRANCESCHY-ROBLES was removed from the United States subsequent to February 26, 2002.

DATED: June 11, 2008.

A TRUE BILL:

Foreperson

KAREN P. HEWITT
United States Attorney

By:
CALEB E. MASON
Assistant U.S. Attorney